

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

<p>DERON BRUNSON, Plaintiff,</p> <p>vs.</p> <p>AMERICAN HOME MORTGAGE SERVICING, INC., et al., Defendants.</p>	<p>MEMORANDUM DECISION AND ORDER DENYING MOTION TO RECONSIDER</p> <p>Case No. 2:09-CV-436 TS</p>
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Plaintiff moves for reconsideration of the Court's March 30, 2009 Memorandum Decision and Order granting the Defendants' Motions to Dismiss and dismissing his Complaint. Plaintiff argues that the Court overlooked certain matters in his favor when dismissing his claims under FED. R. CIV. P. 12(b)(6). Defendant Aurora Loan Services filed an Opposition in which the other Defendants joined. Defendants argue that Plaintiff has not show grounds for reconsideration.

Grounds warranting reconsideration under FED. R. CIV. 59(e):

include (1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct clear error or prevent manifest injustice. Thus, a motion for reconsideration is appropriate where the court has misapprehended the facts, a party's position, or the

controlling law. It is not appropriate to revisit issues already addressed or advance arguments that could have been raised in prior briefing.<sup>1</sup>

The Court finds that the Motion to Reconsider revisits issues already addressed.

The Court finds no clear error in its prior resolution of those issues. It is therefore

ORDERED that Plaintiff's Motion for Reconsideration (Docket No. 47) is DENIED.

DATED May 13, 2010.

BY THE COURT:

  
TED STEWART  
United States District Judge

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<sup>1</sup>*Servants of Paraclete v. Does*, 204 F.3d 1005, 1012 (10th Cir. 2000) (citing *Van Skiver v. United States*, 952 F.2d 1241, 1243 (10th Cir. 1991) (other citations omitted)).